

Land Development & Transportation Committee Staff Report

September 28, 2017



Case No:	17DEVPLAN1145
Project Name:	Bluegrass Manor
Location:	4902 Shelbyville Road
Owner(s):	Timothy & Robert Boden
Applicant:	P&P Real Estate LLC
Representative(s):	Land Design & Development
Project Area/Size:	11.2 acres
Jurisdiction:	City of St. Matthews
Council District:	26 – Brent Ackerson
Case Manager:	Joel P. Dock, Planner II

REQUEST(S)

- **Revised Detailed District Development Plan** for proposed retail out-lot

CASE SUMMARY

A 4,500 square foot retail building is being proposed on an out-lot of an existing shopping Center adjacent to Mall St. Matthews on Shelbyville Road. Access and parking facilities will be shared between the proposed users of the shopping center. Pedestrian facilities have been provided to public ways and to accommodate multi-modal transit.

Previous Cases

- 9-97-83: Change-in-zoning from C-1to C-2 (approved 3/13/84)
- 9021: RDDDP (approved by staff 11/29/07)
- 17087: Expired RDDDP for subject site (approved 3/7/12)

STAFF FINDING

The revised detailed district development plan appears to be adequately justified and meets the standard of review based on staff analysis in the staff report. The proposal meets or exceeds the required of the Development Code in effect within the City of St. Matthews.

TECHNICAL REVIEW

There do not appear to be any outstanding technical review items to be discussed.

INTERESTED PARTY COMMENTS

Staff has not received any interested party comments.

STANDARD OF REVIEW AND STAFF ANALYSIS FOR DISTRICT DEVELOPMENT PLAN AND/OR AMENDMENT TO BINDING ELEMENTS

- a. The conservation of natural resources on the property proposed for development, including: trees and other living vegetation, steep slopes, water courses, flood plains, soils, air quality, scenic views, and historic sites;

STAFF: There does not appear to be any environmental constraints or historic resources on the subject site. Landscaping required per Article 12 is indicated on the plan

- b. The provisions for safe and efficient vehicular and pedestrian transportation both within the development and the community;

STAFF: Provisions for safe and efficient vehicular and pedestrian transportation within and around the development and the community have been provided as access and parking facilities are being shared throughout the shopping center. Pedestrian connections to public ways and accommodations have been provided on proposed Tract 2.

- c. The provision of sufficient open space (scenic and recreational) to meet the needs of the proposed development;

STAFF: Open space is not required for the subject site.

- d. The provision of adequate drainage facilities on the subject site in order to prevent drainage problems from occurring on the subject site or within the community;

STAFF: The Metropolitan Sewer District has approved the preliminary development plan and will ensure the provisions of adequate drainage facilities on the subject site in order to prevent drainage problems from occurring on the subject site or within the community.

- e. The compatibility of the overall site design (location of buildings, parking lots, screening, landscaping) and land use or uses with the existing and projected future development of the area;

STAFF: The overall site design and land uses are compatible with the existing and future development of the area as the area contains a variety of scales and intensities of non-residential uses. Landscape buffering will be provided along the adjacent roadways as required by Article 12 of the Development Code.

- f. Conformance of the development plan with the Comprehensive Plan and Land Development Code. Revised plan certain development plans shall be evaluated for conformance with the non-residential and mixed-use intent of the form districts and comprehensive plan.

STAFF: The development plan conforms to applicable guidelines and policies of the Comprehensive Plan and to requirements of the Land Development Code. Recommend

REQUIRED ACTIONS

- **Recommend** the City of St. Matthews **APPROVE** or **DENY** the **Revised Detailed District Development Plan**

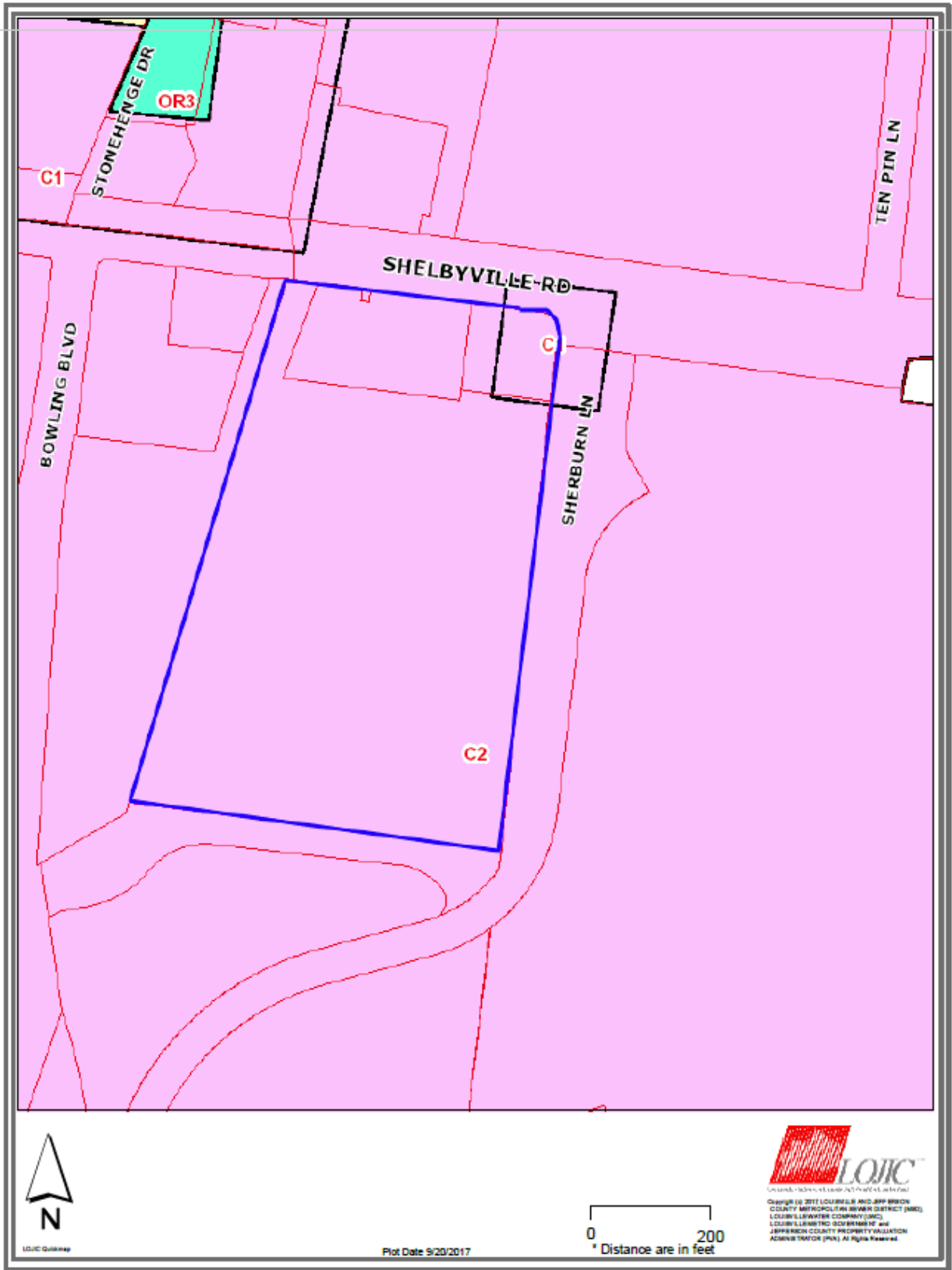
NOTIFICATION

Date	Purpose of Notice	Recipients
9/14/17	Hearing before DRC	1 st tier adjoining property owners Registered Neighborhood Groups in Council District 26

ATTACHMENTS

1. Zoning Map
2. Aerial Photograph
3. Existing Binding Elements
4. Proposed Binding Elements

1. **Zoning Map**



2. Aerial Photograph



3. Existing Binding Elements

1. The development will be in accordance with the approved district development plan stamped "Received November 29, 2007, by the Louisville and Jefferson County Planning Commission, subject to the following binding elements. No further development will occur.
2. There will be no outside storage of building materials.
3. There shall be no additions to the existing buildings unless it can be demonstrated to the satisfaction of the City of St. Matthews that adequate off-street parking exists.
4. Before certification of occupancy are issued:
 - a. The development plan must be reapproved by Water Management, Transportation Engineering and Fire Safety Sections of the Jefferson County Department of Public Works and Transportation.
 - b. The size and location of any proposed signs must be approved by the City of St. Matthews.
5. No certificate of occupancy shall be issued more than one year from the date of approval of the plan or rezoning whichever is later or the property shall not be used for any new use.
6. A certificate of occupancy must be received from the appropriate code enforcement office prior to occupancy of the structure or land for the proposed use.
7. The above binding elements may be amended as provided for in the Zoning District Regulations upon approval of the City of St. Matthews.

4. Proposed Binding Elements

- ~~1. The development will be in accordance with the approved district development plan stamped "Received November 29, 2007, by the Louisville and Jefferson County Planning Commission, subject to the following binding elements. No further development will occur.~~
1. **The development shall be in accordance with the approved district development plan, all applicable sections of the Land Development Code (LDC) as adopted by the City of St. Matthews and agreed upon binding elements unless amended pursuant to the Land Development Code. Any changes/additions/alterations of any binding element(s) shall be submitted to the Planning Commission or the Planning Commission's designee and to the City St. Matthews for review and approval; any changes/additions/alterations not so referred shall not be valid.**
2. There will be no outside storage of building materials.

3. There shall be no additions to the existing buildings unless it can be demonstrated to the satisfaction of the City of St. Matthews that adequate off-street parking exists.
4. Before any permit (including but not limited to building, parking lot, change of use, site disturbance, alteration permit or demolition permit) is requested:
 - a. ~~The development plan must be reapproved by Water Management, Transportation Engineering and Fire Safety Sections of the Jefferson County Department of Public Works and Transportation.~~
 - a. **The development plan must receive full construction approval from Louisville Metro Department of Codes and Regulations Construction Permits and Transportation Planning Review and the Metropolitan Sewer District.**
 - b. The size and location of any proposed signs must be approved by the City of St. Matthews.
 - c. **The property owner/developer must obtain approval of a detailed plan for screening (buffering/landscaping) as described in Article 12 prior to requesting a building permit. Such plan shall be implemented prior to occupancy of the site and shall be maintained thereafter**
5. No certificate of occupancy shall be issued more than one year from the date of approval of the plan or rezoning whichever is later or the property shall not be used for any new use.
6. A certificate of occupancy must be received from the appropriate code enforcement office prior to occupancy of the structure or land for the proposed use.
7. The above binding elements may be amended as provided for in the Zoning District Regulations upon approval of ~~by~~ the **Louisville Metro Planning Commission and City of St. Matthews.**